

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Redesignation of the 17.7-19.7 GHz Frequency	)	IB Docket No. 98-172
Band, Blanket Licensing of Satellite Earth	)	RM 9005
Stations in the 17.7-20.2 GHz and 27.5-30.0 GHz	)	RM 9118
Frequency Bands, and the Allocation of	)	
Additional Spectrum in the 17.3-17.8 GHz and	)	
24.75-25.25 GHz Frequency Bands for Broadcast	)	
Satellite Service Use	)	

**RECEIVED**  
**NOV 19 1998**  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**COMMENTS OF AT&T WIRELESS SERVICES, INC.**

AT&T Wireless Services, Inc. ("AT&T"), by its attorneys, hereby submits its comments in response to the Notice of Proposed Rulemaking issued in the above-captioned proceeding.<sup>1/</sup>

While AT&T appreciates the Commission's desire to make "more efficient and better use" of the 17.7-19.7 GHz ("18 GHz") band, it urges the Commission to look at its proposed reallocation in light of other decisions reducing spectrum for fixed terrestrial services in recent years. If the Commission continues to reallocate the spectrum assigned to fixed terrestrial services, it will be impossible for these licensees to continue to provide service. Before the Commission reallocates any additional spectrum currently dedicated to fixed services, it should adopt long range policies to ensure that providers of these services will have continued access to adequate spectrum and

---

<sup>1/</sup> In the Matter of Redesignation of the 17.7-19.7 GHz Frequency Band, Blanket Licensing of Satellite Earth Stations in the 17.7-20.2 GHz and 27.5-30.0 GHz Frequency Bands, and the Allocation of Additional Spectrum in the 17.3-17.8 GHz and 24.75-25.25 GHz Frequency Bands for Broadcast Satellite Service Use, IB Docket No. 98-172, RM 9005, RM 9118, Notice of Proposed Rulemaking, FCC 98-235 (rel. Sept. 18, 1998) ("Notice").

No. of Copies rec'd 078  
List ABCDE

the regulatory certainty to support the substantial investments necessary to commercialize that spectrum.

The 18 GHz band is an important band for fixed services providers. AT&T currently uses the 18 GHz band to provide point-to-point microwave services that interconnect its cell sites. These fixed microwave links are an integral aspect of AT&T's cellular and PCS services today. As the Commission recognizes in the Notice, AT&T and other terrestrial fixed service providers' need for spectrum in this band will only increase in the future as they build out their digital cellular and PCS systems.<sup>2/</sup> The 18 GHz band also has been, and will continue to be, critical for the relocation of fixed services from the 2.1 GHz band, which was designated as secondary for terrestrial fixed services.

Terrestrial fixed licensees need adequate spectrum to expand existing systems and accommodate new services. Under the proposed reallocation, however, AT&T and other terrestrial fixed service providers will lose 750 MHz of spectrum, which will be designated for primary use by satellite services. Loss of this spectrum will seriously degrade AT&T's ability to expand its cellular and PCS networks. Because the Commission proposes to make the reallocation effective as of the date the Notice was issued, the negative impact on AT&T would be immediate. Retroactive to September 17, 1998, AT&T would have to avoid those portions of the 18 GHz band that the Commission has proposed to designate as secondary for fixed services or risk interference from satellite operations or even forced discontinuance of service.

---

<sup>2/</sup> Notice at ¶ 8.

Even the 1250 MHz that the Commission describes as “available for terrestrial fixed service use” is not available free and clear. First, the Commission has allocated over half of these frequencies for co-primary use by satellite services. It is unclear, however, whether or not these satellite services can coexist with terrestrial fixed services. Past experience has shown that sharing spectrum between dissimilar services is difficult and one service ultimately has to vacate the band. The relocated service is likely to wind up with a less desirable frequency allocation. Fixed terrestrial services, however, have nowhere else to go. The remaining bands that are allocated for fixed services are congested<sup>3/</sup> or are not well suited for the point-to-point services that AWS and other cellular and PCS providers require.

Second, while the Commission proposes to retain fixed services as co-primary in the spectrum from 18.55 to 18.8 GHz, the 18.92 to 19.16 GHz band would become secondary for fixed services. These two bands, however, are paired go/return spectrum for two-way communications. If the Commission reallocates the upper half of this go/return frequency band to secondary status, it eliminates the pairing capability and effectively eliminates the ability of fixed terrestrial service providers to use the lower half as well. Likewise, designating fixed

---

<sup>3/</sup> For example, the Commission acknowledged several years ago that the 6 and 11 GHz bands were becoming congested as a result of the relocation of 2 GHz point-to-point microwave services. See, e.g., Preparation for International Telecommunications Union World Radiocommunication Conferences, 78 RR 2d 747 at ¶¶ 52-53 (June 15, 1995) (acknowledging saturation of 6 GHz band and escalating demand for fixed services bands above 10 GHz); Rulemaking to Amend Parts 1, 2, 21, and 25 of the Commission’s Rules to Redesignate the 27.5-29.5 GHz Frequency Band, to Reallocate the 29.5-30.0 GHz Frequency band, to Establish Rules and Policies for Local Multipoint Distribution Service and for Fixed Satellite Services, 11 FCC Rcd 19005 at ¶ 93 (July 22, 1996) (acknowledging that the potential number of users for the 4, 6, and 11 GHz bands has increased as a result of Commission actions and that numerous requests have been filed in the 6 and 11 GHz bands).

services as secondary in the 19.26 to 19.3 GHz band effectively eliminates use of the paired 17.7 to 17.74 GHz band, even though the 17.7 to 18.3 GHz band supposedly is designated for primary use by the terrestrial fixed service. In order for point-to-point fixed microwave users like AT&T to utilize the entire 1250 MHz that the Commission has designated for primary or co-primary use by the terrestrial fixed service, the Commission will have to adopt a new channel plan to ensure that both halves of paired spectrum are located in a part of the band that is allocated to primary or co-primary use by the terrestrial fixed service.

While AT&T recognizes that there is a finite amount of spectrum available and that numerous entities are competing for access to this spectrum, sound spectrum management policies require a certain degree of long range planning.<sup>4/</sup> The Commission has gradually been reducing the amount of spectrum allocated to terrestrial fixed services. Without the certainty that spectrum currently allocated to fixed services will remain available for those services, manufacturers are less likely to invest in the research and development of equipment for these bands, and licensees will have less ability to obtain the capital necessary to build and operate terrestrial networks. Service to the public will be impeded if licensees and vendors fear that at any time the Commission may decide to reallocate their spectrum yet again.

---

<sup>4/</sup> See, e.g., Remarks by Commissioner Susan Ness before PCIA's PCS '98, Orlando, Florida, September 23, 1998 (stating that the Commission must take a long range view of spectrum allocation); Remarks of Commissioner Susan Ness before CTIA's Wireless '97, San Francisco, California, March 3, 1997 (noting that spectrum decisions made today have "far-reaching consequences").

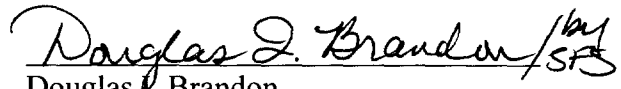
## CONCLUSION

For the reasons set forth above, the Commission should refrain from reallocating the 18 GHz spectrum to fixed satellite services until it has developed a long-range spectrum management plan that provides stability for providers of fixed services.

Respectfully submitted,

AT&T WIRELESS SERVICES, INC.

Howard J. Symons  
Sara F. Seidman  
Michelle M. Mundt  
Mintz, Levin, Cohn, Ferris, Glovsky  
and Popeo, P.C.  
701 Pennsylvania Avenue, N.W.  
Suite 900  
Washington, D.C. 20004  
(202) 434-7300  
Of Counsel

  
Douglas L. Brandon  
Vice President - External Affairs  
1150 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
(202) 223-9222

November 19, 1998

DCDOCS: 136540.3 (2xcs03!.doc)

**CERTIFICATE OF SERVICE**

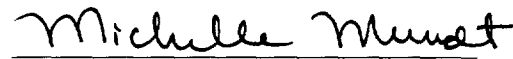
I, Michelle Mundt, hereby certify that on the 19th day of November 1998, I caused copies of the foregoing "Comments of AT & T Wireless Services, Inc. " to be sent via hand delivery to the following:

David Wye  
Senior Technical Advisor  
Wireless Telecommunications Bureau  
Federal Communications Commission  
2025 M Street, N.W., room 5002  
Washington, D.C. 20554

Regina Keeney  
Chief  
International Bureau  
Federal Communications Commission  
2000 M Street, N.W., Room 830  
Washington, D.C. 20554

Charles Magnuson  
Engineer  
International Bureau  
Planning & Negotiation Division  
Federal Communications Commission  
2000 M Street, N.W., Room 863  
Washington, D.C. 20554

ITS  
1231 20<sup>th</sup> Street, N.W.  
Washington, D.C. 20036

  
Michelle Mundt